

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
KELCEY DEPTULA,

Plaintiff,

-against-

JONATHAN ROSEN, CERAMICA DE ESPANA,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY  
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20 Civ. 2371 (AT)

**ORDER**

On June 26, 2020, the Court ordered the parties to file a joint status letter and proposed case management plan by August 4, 2020. ECF No. 15. If Plaintiff was unable to serve Defendants, then by August 4, 2020, Plaintiff was required to file a letter describing efforts to effect service and the reasons for their failure. *Id.* On August 5, 2020, the Court noted that those submissions were overdue, and ordered the parties, or Plaintiff alone if necessary, to file them by August 6, 2020. ECF No. 16. Plaintiff has not filed those overdue submissions. This marks the sixth time that Plaintiff has failed to file papers as required by orders of the Court. *See* ECF Nos. 7, 8, 9, 10, 16.

It is ORDERED that by **August 10, 2020, at 12:00 p.m.**, either the parties shall file their joint letter and proposed case management plan, or Plaintiff shall file the required letter regarding service.

It is further ORDERED that by **August 10, 2020, at 12:00 p.m.**, Plaintiff shall file a separate letter explaining why the required submissions were not filed in advance of the deadline set by the Court.

If the required submissions are not filed by August 10, 2020, the Court may exercise its authority to dismiss this action for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

SO ORDERED.

Dated: August 7, 2020  
New York, New York



ANALISA TORRES  
United States District Judge